

ADMINISTRATIVE HEARINGS (45)

AGENCY PLAN: STATEMENT OF PURPOSE, GOALS AND BUDGET SUMMARY

STATEMENT OF PURPOSE:

The Department of Administrative Hearings will help support the Mayor's initiative to create a cleaner city by establishing an efficient and cost-effective manner to adjudicate cases in an impartial and independent forum.

AGENCY GOALS:

1. Adjudicate blight code violations issued by authorized City agents.
2. Streamline adjudication of code violations by providing administrative hearings.
3. Enhance collectibility of fines and fees, through garnishments and liens utilizing the Department's decisions and orders.
4. Adjudicate violations with sensitivity to their impact on the escalating problem of blight in Detroit.

AGENCY FINANCIAL SUMMARY:

2006-07 <u>Requested</u>		2005-06 <u>Budget</u>	2006-07 <u>Recommended</u>	Increase <u>(Decrease)</u>
\$ 2,491,910	City Appropriations	\$ 2,535,851	\$ 2,233,976	\$ (301,875)
\$ 2,491,910	Total Appropriations	\$ 2,535,851	\$ 2,233,976	\$ (301,875)
\$ 796,293	City Revenues	\$ 1,644,000	\$ 1,115,941	\$ (528,059)
\$ 796,293	Total Revenues	\$ 1,644,000	\$ 1,115,941	\$ (528,059)
\$ 1,695,617	NET TAX COST:	\$ 891,851	\$ 1,118,035	\$ 226,184

AGENCY EMPLOYEE STATISTICS:

2006-07 <u>Requested</u>		2005-06 <u>Budget</u>	04-01-06 <u>Actual</u>	2006-07 <u>Recommended</u>	Increase <u>(Decrease)</u>
<u>6</u>	City Positions	<u>6</u>	<u>6</u>	<u>6</u>	<u>0</u>
6	Total Positions	6	6	6	0

ACTIVITIES IN THIS AGENCY:

	2005-06 <u>Budget</u>	2006-07 <u>Recommended</u>	Increase <u>(Decrease)</u>
Blight Violation Adjudication	\$ 2,535,851	\$ 2,233,976	\$ (301,875)
Total Appropriations	\$ 2,535,851	\$ 2,233,976	\$ (301,875)

ADMINISTRATIVE HEARINGS (45)

DEPARTMENT OF ADMINISTRATIVE HEARINGS ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: BLIGHT VIOLATIONS ADJUDICATION

The Department of Administrative Hearings (DAH) incorporates the Municipal Ordinance Violations Bureau's (MOVB) collection process into its system, thereby establishing new procedures for the administration, adjudication and collection of blight violations into one framework. The Zoning, Environmental, and Property Maintenance branches of the MOVB are now adjudicated under the Department of Administrative Hearings. The DAH will assess civil fines and costs pursuant to the schedules of violations for the Blight Ordinances. Under the DAH, violation notices will contain hearing dates, so no separate citation will be generated, and hearings will yield Decisions and Orders with which a defendant must comply or appeal to the 3rd Circuit Court of Michigan.

MAJOR INITIATIVES FOR FY 2005-06 and FY 2006-07:

The DAH opened its doors in January 2005 at 561 E. Jefferson. Since then, 35,273 blight violation notices have been issued by the enforcing agencies and 33,326 DAH hearings have been held. The City intends for inspectors and police officers to eventually generate violation notices in the field electronically using laptops or handheld ticket writing devices with portable printers. The total future volume of violations is not known, but it is expected to decrease in subsequent years, as the deterrent effects of the increased enforcement effort begin to accrue throughout the city. Fines and revenues for Solid Waste/Illegal Dumping violations are recorded in the Department of Environmental Affairs, and for Zoning and Property Maintenance violations in the Department of Buildings and Safety Engineering.

PLANNING FOR THE FUTURE FY 2006-07, FY 2007-08 and BEYOND:

The department is looking at the possibility of handling cases in the community. This would allow residents of the city to commute a shorter distance to have their cases heard.

Also, the possibility of expanding the DAH's jurisdiction is being looked into. It is possible that lead-based paint violations as well as abandoned vehicle violations could be added as code violations to be heard by this department.

The City of Chicago's Department of Administrative Hearings addresses quality of life offenses with the following Hearing Divisions: Buildings, Consumer Affairs, Environmental Safety, Municipal, Vehicles, and Community Service. Every year the department's administrative law officers preside over 400,000 cases, including tens of thousands of cases previously prosecuted in an overburdened state court system. Cases include general violations of the Municipal Code related to disorderly conduct, permits, public drinking, graffiti and vandalism, peddling, business license permits, public taxis and liveries, and consumer fraud and deception. More city of Detroit codes are already contemplated for decriminalization, according to careful study of the programs effectiveness here.

ADMINISTRATIVE HEARINGS (45)

BLIGHT VIOLATIONS ADJUDICATION MEASURES AND TARGETS

Type of Performance Measure:	2003-04	2004-05	2005-06	2006-07
List of Measures	Actual	Actual	Projection	Target
Outputs: Units of Activity directed toward Goals				
Number of zoning division violations heard	N/A	4,935	11,350	11,350
Number of environmental division violations heard	N/A	3,563	9,350	9,350
Number of property maintenance division violations heard	N/A	7,030	20,700	20,700
Outcomes: Results or Impacts of Program Activities				
Average number of days between violation issuance and hearing date	N/A	55	55	55
Percent of Decisions and Orders appealed	N/A	<1%	<1%	<1%
Percent of Decisions and Orders overturned	N/A	0%	0%	0%
Efficiency: Program Costs related to Units of Activity				
Percent of Orders in delinquency	N/A	50%	50%	50%
Percent of cases that are no-show	N/A	50%	50%	50%
Activity Costs	\$0	\$898,613	\$2,535,851	\$2,233,976

CITY OF DETROIT
Department of Administrative Hearings
Financial Detail by Appropriation and Organization

Administration	2005-06 Redbook		2006-07 Dept Final Request		2006-07 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
11159 - Blight Violation Adjudication						
450010 - Administration	6	\$2,535,851	6	\$2,491,910	6	\$2,233,976
APPROPRIATION TOTAL	6	\$2,535,851	6	\$2,491,910	6	\$2,233,976
ACTIVITY TOTAL	6	\$2,535,851	6	\$2,491,910	6	\$2,233,976

CITY OF DETROIT
Budget Development for FY 2006-2007
Appropriations - Summary Objects

	2005-06	2006-07	2006-07
	Redbook	Dept Final	Mayor's
		Request	Budget Rec
AC0545 - Blight Violation Adjudication			
<i>A45000 - Department of Administrative Hearings</i>			
SALWAGESL - Salary & Wages	315,342	373,018	362,117
EMPBENESL - Employee Benefi	181,999	312,188	264,045
PROFSVCSL - Professional/Con	1,667,000	1,435,194	1,246,304
OPERSUPSL - Operating Suppli	10,000	10,000	10,000
OPERSVCSL - Operating Servic	341,510	341,510	331,510
CAPEQUPSL - Capital Equipmei	20,000	20,000	20,000
<i>A45000 - Department of Administrativ</i>	<i>2,535,851</i>	<i>2,491,910</i>	<i>2,233,976</i>
AC0545 - Blight Violation Adjudication	2,535,851	2,491,910	2,233,976
Grand Total	2,535,851	2,491,910	2,233,976

CITY OF DETROIT
Budget Development for FY 2006-2007
Appropriation Summary - Revenues

	2004-05	2005-06	2006-07	2006-07	Variance
	Actuals	Redbook	Dept Final	Mayor's	
			Request	Budget Rec	
A45000 - Department of Administrative Hearings					
<i>11159 - Blight Violation Adjudication</i>					
446100 - Administration Fee	57,560	1,036,000	579,600	899,248	(136,752)
448115 - Other Fees	107	0	0	0	0
448150 - Other Fees-State	5,010	0	0	0	0
448300 - Circuit Court Appeals Fees	0	18,500	200	200	(18,300)
448301 - Motion Fee	2,160	296,000	16,348	16,348	(279,652)
448302 - Subpoena Request Fee	0	92,500	60	60	(92,440)
449165 - Personal Services-Engl	0	200,000	200,000	200,000	0
455180 - Other Fines	0	0	0	0	0
472150 - Other Miscellaneous	0	1,000	85	85	(915)
474130 - Misc Recpts-Cash Over	100	0	0	0	0
<i>11159 - Blight Violation Adjudication</i>	<i>64,937</i>	<i>1,644,000</i>	<i>796,293</i>	<i>1,115,941</i>	<i>(528,059)</i>
A45000 - Department of Administrative Hearings	64,937	1,644,000	796,293	1,115,941	(528,059)
Grand Total	64,937	1,644,000	796,293	1,115,941	(528,059)

CITY OF DETROIT
MAYOR'S 2006/2007 RECOMMENDED BUDGET

Department of Administrative Hearings

Appropriation	REDBOOK FY 2005	DEPT REQUEST	MAYORS FY 2006
Organization	2006 FTE	FY 2006 2007	2007 FTE
Classification			
11159 - Blight Violation Adjudication			
450010 - Administration			
Dir of Administrative Hearings	1	1	1
Mgr of Administrative Hearings	1	1	1
Administrative Specialist I	1	1	1
Principal Governmental Analyst	1	1	1
Office Assistant III	2	2	2
Total Administration	6	6	6
Total Blight Violation Adjudication	6	6	6
Agency Total	6	6	6